



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB 23 2010

REPLY TO THE ATTENTION OF:

A-18J

Mr. Scott Huber
Summit Petroleum Corporation
P.O. Box 365
Mount Pleasant, Michigan 48804

Dear Mr. Huber:

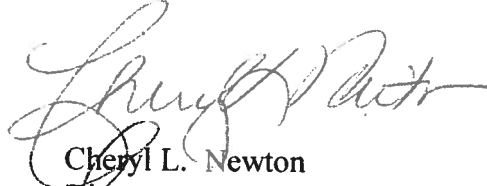
This letter responds to Summit's letter dated January 5, 2010, requesting that the U.S. Environmental Protection Agency stay the effectiveness of EPA's letter dated September 8, 2009, concerning the date by which Summit must submit a Clean Air Act Title V permit application for its facility in Rosebush, Michigan. In response to Summit's request, EPA hereby administratively stays for a period of 90 days the date by which Summit must submit a Title V permit application to EPA. This stay will allow Summit to submit to EPA, and for EPA to consider, supplemental information about Summit's operations.

In the course of considering Summit's stay request, EPA determined that Summit's previous submissions do not appear to comply with the requirements of EPA's regulations for applicability determinations. Specifically, the information that Summit had provided in connection with its request for an applicability determination is not certified in accordance with EPA's regulations. 40 C.F.R. §§ 71.3(e)(1) and 71.5(d). Additionally, the information on which EPA based the September 8, 2009, letter is from a Potential to Emit (PTE) Summary that Summit submitted with its letter dated January 18, 2006.¹ For example, Summit may wish to submit current PTE information regarding the emissions units, as well as information on their locations. Please note that EPA's regulations require the submission of the "relevant and appropriate facts about the source." 40 C.F.R. § 71.3(e)(1). Please provide any information to EPA within 30 days, to allow EPA time to consider it and respond to Summit.

¹ The date on the letter, January 18, 2005, appears to be a typographical error, since EPA received the letter in February 2006.

If you have any questions regarding the information discussed in this letter, please contact Laura Cossa of my staff, who can be reached at (312) 886-0661. If you have questions regarding the litigation of the September 8, 2009 letter, please contact David Gualtieri of the U.S. Department of Justice at (202) 514-4767.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cheryl L. Newton".

Cheryl L. Newton

Director

Air and Radiation Division

cc: Gina Bozzer
S. Lee Johnson
David Gualtieri